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It our triends who favor us with manuscripts for must to all cases send stamps for that purpose.

#### The Second Pledge

Since he was elected Governor the Hon. JOHN A. DIX has made two pledges to the people of this State. The first committed him to the task of reducing the swollen and extravagant budget of the State. The second promise is in- force. For example, among many other cluded in the following declaration made legislative enterprises he prepared and recently in this city:

" All that I can do is to make recommendations to the legislators. I have no right to force my minister oaths. views on them If they don't like what I recommend that is another matter and they will have to answer to those who elected them for what they do or what they don't do. This matter of the Executive forcing his views upon the Legis lature is getting to be altogether too irksome. I am going to make a change in that when I get to Albany

It would appear from this second pledge that the Hon. JOHN A. DIX has definitely decided that the old fashioned method of being Governor is good enough for him, and that the most eloquent "appeal to the people" is, in point of fact, a reduction in the expense of State administration.

It was the application of this same conviction concerning the business of inglaundries of the District. State government that earned for the Hon. SAMUEL J. TILDEN the support and gratitude of his contemporaries.

If the Hon. JOHN A. DIX has decided to go back to the example of the Hon. SAMUEL J. TILDEN it cannot but prove a fortunate thing for the taxpayers of a bills and joint resolutions which subtend and Bombay and the system of Indian State that has been long and disastrously misgoverned.

## The New Gateway

spectable number of thousands of per- known as H. R. 24009: sons, the data of its real opening will under the North River, and into what is called not untruly the heart of New few, save those whose business it has than one half inch beyond the crown of the hat which she has recently been struggling. been to watch and study the progress in upon or through which such pin is worn of this enterprise, understand how much Or, again, his great bill for the comthis means to New York and to the whole

In feet and inches, in dollars and cents, decrepit street clocks: in architectural and mechanical terminology this mighty work has been dehave all been dwelt upon. The bold- each and every offence. ness of the man who took a dream and made it a reality has been recognized. Yet the completed whole, with all its magnitude of the monuments that are correct time." only a detail of an enormous accomplishment perplexes the imagination.

Even New York, in whose behalf amazing things are done with a frequency that dulls appreciation, must hereafter mark the day when this new avenue of access to the mainland is opened as one of her historic days.

### Foss in the Name of the Majority of hatpin bill: the Sovereign People of Massachusetts.

Isn't our old friend the Hon. EUGENE of one per centum on their capital Nonce Foss putting on the purple early? Something Asiatic, thrasonical, strut- lessness and fecundity of the Hon. Mr. ting-and irresistably comic-peeps out COUDREY's initiative that we have taken from this swelling summons to our older the trouble to examine the record in old friend in Nahant:

In the name of the majority of the sovereign his sent in the United States Senate by withdraw-

After this wild blast upon the trumpet

in Massachusetts the other Tuesday lownward lower duties on the necessaries of life.

which I was elected, were honest tariff revision sentatives stationery to other business, free raw materials, an untaxed food supply, reclprocity with Canada, and more democracy in our

Immediately after the visit of an indiscreet friend of Mr. Longe's to Massa- Bill reported adversely and laist on table. chusetts, our Republican contemporary Bill passed by both horses and approved by the Boston Transcript estimated the Freshient result of that visit as 15,000 Republican Bills still with the several committees advantage of Governor DRAFER in the committee

ple than he seems to imagine.

What does "more democracy in our form of government" mean, if it means anything? The initiative and referendum and recall, or just more Foss or more Honey FITZGERALD?

progressive spirit of the times." Well, so so we have seldom bestowed any excessive a oo affection upon Mr. Longe, but he certainly does belong to the old order of things and the old order of statesmen. To He is a man of intellect, of training, of accomplishment, of wide knowledge of affairs, of long and honorable experience in public life. Judging from "the progressive spirit" in too many other States, its triumph means the substitution of mediocrity, of inexperience or of shallow demagogy for those qualities as JOHN QUINCY ADAMS. HARRISON GEORGE F. HOAR. Mr. LODGE is worthy

## Business Beneath the Dome.

The exceptional energy of the Hon. HARRY M. COUDREY of the Twelfth Missouri district is proved by the records of the legislative body from which he derives his blue embossed stationery. As a legislator his mind has concerned itself with almost every conceivable matter of public interest. The titles of some of the numerous bills introduced by him during the last session show his range and introduced measures:

Authorizing rural free delivery carriers to ad-

Amending the corporation tax law Authorizing the purchase of old paintings o

Punishing monopolies in the District Regulating the length of hatpins.

Abolishing the entrance fee at Mount Vernon Changing the name of Stateenth street to "Aveue of the Presidents." Defining robbery.

Regulating the carriage of baggage by the railroads.

Garden Authorizing an investigation of the swamp lands.

Regulating the clocks in Washingt Creating a veteran volunteer roll.

Investigating a combination between the lead-Providing for the parole of United States

posits. Compelling all corporations to pay a Federal

icease tax.

These are a few of the eighty-eight the Hon. Mr. COUDREY's angle of legislative vision during a single session of Congress. The originality of his conceptions and his businesslike attention Although the use of the Pennsylvania to details are shown in the bills of which Station by the Long Island Railroad has he is the author. Take, for instance, special reference to Persian affairs. made that structure familiar to a re- his memorable hatpin measure, officially

Be it enacted by the Senate and House of Repre undoubtedly be fixed in the popular sentatives of the United States of America in Conmind as November 27, the first day in gress assembled, That no person while on the public tier of the Bagdad railway and the which the regular trains of the Pennsyl- streets or ways of the city of Washington. District projected north Persian railway to be vania road itself will run from its main of Columbia, nor while riding upon any street constructed under Russian auspices. line across the meadows of New Jersey, car or other public conveyance running from place to place within said city, nor in any elevator operated in any building in said city to which the public is admitted, shall so wear any hatpin that York. It is reasonable to believe that the exposed point thereof shall protrude more the very heart of the middle East, for

> pulsory masking or whitewashing of the faces of mendacious, intermittent or

" That any individual firm or corneration own scribed. The celerity with which it was or on any street or avenue, within the District of ing and displaying on the outside of a building . built, the ingenuity of its engineers, the Columbia a clock which shall not be running at skill of its constructors, the high aim all times of theday or night and not be kept within of its architects, the resourcefulness of two minutes of the correct Eastern standard time those who raised the money to pay for it. shall be liable to a fine of twenty-five dollars for

clock be out of order or undergoing repairs the face of the same shall be concealed by cloth, curtain or by the whitening of the dial or otherwise. significance, is not grasped. The very so that the public may not be deceived as to the

> Observe, likewise, the breadth and ples with such difficult questions as that of the extension of Federal power over

That from and after the passage of this act all

We are so charmed with the fearorder to ascertain to what extent his exceptionally fine legislative proposi- than himself, has seen men of longer secule of the Commonwealth of Massachusetts tions have got beyond the foundation service promoted over him to the demand that HENRY CAROY Longs surrender or cornerstone state. We confess that the results are somewhat disappointing; indeed, the ratio of accomplishment to endeavor is enough to explain, perhaps, Mr. Foss tells what he thinks happened the Hon. Mr. COUDREY'S willingness to turn his attention and his typewriters The issues on which the fight was made, on and his blue embossed House of Reprethan that of making laws for the people:

Bills and joint resolutions introduced and re-Bill reported from committee with amendment

but not passed

votes for Mr. Foss. Then, in his pas- Of the eighty-eight exceptionally fine army had been made out for him. Unsion for tariff revision, Mr. Foss forgets measures perfected and proposed by fortunately the law did not provide for his arms? Wasn't DRAPER on the un-bursement of the St Louis postmaster succumbed to the popular sentiment, fair list, so to speak? Are we mistaken, for loss incurred through embezzlement, the hero worship of the hour. The ple of the Commonwealth of Massachu- for a Federal license tax on all corpora- Brigadier-General to satisfy those who

ers of both sexes can it be that he has senior Brigadier until near the close of an exceptionally fine proposition in the his sixty-fourth year. heart.

## By Rail to India.

A transcaspian railroad has been a dream of theorists, who would shorten rank and duties of Major-General? the distance around the world and lay bare the unknown wilds, since the Russians built a railway into Baku and Batoum on the Caspian and Black seas and the British projected lines along the border of Baluchistan and the coast of the Arabian Sea. The realization meant which have been illustrated in the the crossing of some 2,000 miles of Per-United States Senate by such names sian territory, but this for years appeared GRAY OTIS, DANIEL WEBSTER, EDWARD antagonism of the two nations whose and mucilaginous rabbit EVERETT, RUFUS CHOATE, ROBERT C. frontiers would be connected by this WINTEROP, CHARLES SUMNER and link. The understanding between England and Russia in the middle East has produced as reason not only that the road should be but will be built.

The Russians soon after the conquest of the region and eventually the building of a railway along the Caspian Sea from Petrovsk through Derbent to Baku, their hand. only important port on the coast. They then built a line through Tiflis, with a branch to Alexandropol and Erivan, to Porte and Batoum on the Black Sea. In their plans for a southern advance they have included a network of roads Inder British control to the south of Persia and separate from it by Baluchistan is a railway that runs from Karachi on the Arabian sea coast through Quetta to the Afghanistan frontier. The proposed transcaspian projectors, join Quetta on the south and Baku on the north, it would run through Teheran, the capital, and Kashan, Yezd and Kirman, great in terior markets of Persia, and thence across Baluchistan. Baku is now connected with Moscow by one of the best lines in the empire; a train with an equipment of sleeping and dining cars similar to those on the transsiberian road is operated between the two cities in about sixty hours. The completion of Prohibiting gas companies from requiring de a few miles of projected roads under British control would make a continuous line from Quetta to Bombay. The transcaspian road would thus form a link between Moscow and western Europe railways.

It is generally admitted in Europe that the purpose of the recent visit of the Czar to Potsdam was the establishing of a political understanding with The Novoe Vremya of St. Petersburg states that it foreshadows a Russo-German agreement providing for a junetion at Khanakin on the Turkish fron-It is believed that the Kaiser will offer no objection to the transcaspian line line of railway, broken only by the Bosporus, between Paris and Berlin and the furthest part of British India.

The project, says the Novoe Vremug. is favored in Russia; in fact it is presented to the British by a representative of a Russian group of financiers. Its twofold appeal to Great Britain is that it seems to offer a remedy for the disturbed and unsettled condition of southern Persia, which has caused the Gov ernment much uneasiness, and brings " SEC. 2. That when any publicly displayed by many hours her Indian possession nearer to London.

# Always on the Walting List.

Major-General WILLIAM P. DUVALL will reach the age of retirement on simplicity of his methods when he grap- January 13, 1911, and in Washington it is reported that Brigadier-General ARTHUR MURRAY, Chief of the Coast Artillery. intrastate business. Mr. COUDREY's bill, will be promoted to the vacancy. Briga-H. R. 2163, to compel all corporations dier-General FREDERICK FUNSTON, who no superfluous language. In fact it is ten years ago by President McKINLEY in less than one-quarter of the size of the recognition of his capture of Aguinatho Philippine insurrection, believes that he date for the vacancy in January.

General Funsion has been semor cers, older if not always better soldiers about it, and I gess don't want to know select company of Major-Generals. He buckwheat cakes and a small angel pouring on has had to possess his soul in patience; molasses." In the evolution of things the old tim and it is but just to him to say that in at least one case he urged the promotion of a civil war veteran who was below him on the list of Brigadiers. But after nearly ten years of creditable service sumptuous to invoke the seniority rule. his period of probation pleads for him.

It is true that FREDERICK FUNSTON should not have been made a Brigadierfor his work in the Philippines, and he would have received his reward if a commission as Major in the regular that he was indebted to "labor." Didn't Mr. Courney last winter and spring promotion to any rank below that of the Hon. Samuel Gompers hold him in the single bill enacted was for the reim- Brigadier-General, and Mr. McKinley or did Mr. Foss graciously promise in by a money order clerk. The hatpin question has since arisen, how long the name of the sovereign "labor" peo- bill, the clock regulation bill, the bill must FREDERICK FUNSTON remain a gurr passed the night before proceeding across ple of the Commonwealth of Massachusetts to sign an eight hour bill? Our tions and the eighty-two other measures
recollection is that Mr. hoss had the not acted on adversely still slumber in before reaching the age of religious forms.

Brigadier-General to satisfy those who the river to his duel with Hamilton.

Of course both combatants kept their move ments secret after the challenge had been acrecollection is that Mr hoss had the not acted on adversely still slumber in before reaching the age of retirement cepted and were careful to slip away from their and can mark time while the procession matter of crooking the pregnant hinges. The Hon. Mr. COUDREY, however, has of officers over whose heads he was of the knee. It strikes us that the man- not yet forsaken the House of Represent- invidiously promoted passes by to the

date of Mr. Foss was somewhat less sim- atives. We assume on the authority of coveted rank. This idea logically and thesigned circulars that his typewriters, unsparingly carried out would result in his card catalogues of desirable custom- the stagnation of General Funston as

form of a safety hatpin?) and his huge It is a difficult case, as well as a delicate pile of blue embossed Congress station- one, but if FREDERICK FUNSTON has to "Senator Longe." continues our mod- ery are all established, along with his give way to General ARTHUR MURRAY, est Jamaica Plainman, "is not in touch own comprehensive and enterprising ought not some hope to be held out to with the new order of things, with the intellectuals, beneath the splendid dome this worthy officer, who naturally canthat is the pride of every truly American not reconcile himself to hope deferred, that before he is too old to stand the rigors of a campaign he may be regarded as having qualified by a sufficient term of service in the regular army for the

> What is this talk about a rabbit dinner in Richmond for President TAPT? Why have so many Southern communities at different times proposed an equally eccentric menu? New Orleans, the home of epicures, the home of inspired cooks, hured him with alligator tails; Georgia sick ened him with possum. Now Richmond. where the well advised live well and plenimpossible on account of the political tifully, offers him the greasy, tasteless

> > Of the omission of German ports from the programme of the American fleet in European waters Count von Reventlow. a writer on naval topics, says in the Deutsche Tageszeitung:

The lack in respect of courtesy shown on thi casion requires to be registered, and will, it is of the Caucasus began the development of the region and eventually the building number of Germans who think that the proper of a railway along the Caucian Sea from quious friendship and with cap invariably in

Perhaps this curious tone of asperity is explained by the fact that Count von REVENTLOW is an advocate of a great German navy, ostensibly to protect commerce but actually to make Germany formidable on the sea. The Count's remarks suggest the proverbial chip on from Baku and Erivan, which is on the shoulder, in an academic sense of their southern frontier, through northern course. There are doubtless sufficient Persia. They have recently secured a reasons, if any are needed, for not calling monopoly of railroad construction in this at German ports. One of these reasons region and expect soon to begin work. may be that German harbors are not suited to the anchorage of a great fleet; and it is late to go so far north as Kiel Friendship for Germany has been so conspicuously shown by some American officials and educators as almost to imply a preference for German influence. It is then difficult to understand why Count road would, according to the plans of its von Revention discovers discourtesy where none exists. We must ascribe it to the inclination of a learned naval expansionist to combative controversy

## THE SUPREME COURT AT WORK How the Justices Prepare Their Dec

sions and Dissenting Opinions From the Independen

On Saturday evening each Justice received rom the Chief Justice an envelope contain ing the names of the cases the Chief Justice has decided to allow the Justice to write the opinions in, and the Chief Justice also notifies the Justices of the hour of the conference on Monday morning. The confer ences are usually held in the conference room under locked doors. The Chief Jusice presides, and cases are taken up of stices or their readiness to consider them Each Justice is furnished with a lock book n which he may enter the details of a case he record of the vote on conference and the final disposition. On a case being assigned by the Chief Justice to a Justice to he opinion of the court the opinion when ritten must be agreeable to the Justices If not, the dissatisfied Justice will promptly write a dissenting opinion. In some in ten a dissenting opinion, but the usual cus

ten a dissenting opinion, but the usual custom is for one to write it and announce that the others concur.

Before a case is reached for argument the Justices familiarize themselves with its records and briefs, and when one is directed to write the opinion he makes a study of the case, long or short, as its gravity demands. This may take a few days or months. The opinion is dictated, and after being typewritten it is corrected, holied down and revised another copy is then made, further revised and sent to the printer. In order that the compositors who set the type may not know the decision of the case, the foreman sets up the last few lines of the opinion, locks them in a few lines of the opinion, locks them in a them to it, takes two proofs and forwards them under lock and key to the Justice It is again read and revised, and sometime completely altered, and returned to the printer, corrected by the latter and nine revises sent to the Justice.

If the opinion is now satisfactory to the Justice a copy is mailed to each member of the court. These are returned to the Jus-tice with the notations of the Justices, and the opinion is revised or changed, if need the to conform to their views. If there be a dissenting opinion the Justice writing the majority opinion holds it until the dissent is completed.

Then on some Monday, the court being on session the Justice announces an opinion on the case, giving its number and title, and then proceeds to read it at length to the dozen people who may be present. If there be a dissenting opinion the Justice writing the dissenting opinion the Justice writing the dissent reads it and announces the mames of the Justices who concur with him. Afterward the official reporter of the court sends a verified copy of the opinion to the publishers of the United States Supreme fourt. Heports, and the case finally becomes one of thousands in the law libraries to be read and reread if of moment or to be forgotten if mere detail.

# Decadence of the Buckwheat Cake.

TO THE EDITOR OF THE SEN SIT I noticed article in THE SUN a few days ago on buck H. R. 2163, to compel all corporations dier-General FREDERICK FUNSTON, who wheat cakes. I can the same sort of cake to day to take out a Federal license contains was elevated to his present rank nearly that I had fifty years ago, and any one else can who wants to, but to do it you must buy pure buckwheat flour and it can be had. I think the and his gallantry in the field during the to the consumers. The modern housekeeper who ooks after her own work wants things to go That from and after the passage of this act all principles insurrection, believes that he opporations shall pay a license tax of one tenth of one per centum on their capital. The higher grade and he is also a candiakes can be made, or rather the dough can be made ten minutes before breakfast, while in the old way with pure flour the dough had to be made Brigadier for several years, and having up the night before, and that was trouble. I think another reason you don't find the "old cake" any more is that the modern cook knows nothing l also think the modern person would rather eat

the modern thing. You know the idea once a time of heaven was a "big angel Ideas are wearing out. New York, November 21.

From the London Chronicle.
Within the Imperial preserves where the Kaiser and his guests have secured 500 deer in one day in that grade General FUNSTON is no is the Schorfhaide, which each year toward the longer passive and resigned; if it is premonth of November becomes the meeting place of thousands of stags. This annual assemblage the Schorfnatde has taken place every autum for centuries past. Mention thereof has been found in documents more than a thousand years old. All sorts of theories have been put forward account for it. Some natives say that the General in 1901; he deserved promotion animals meet to decide matters affecting the for his work in the Philippines, and he to account otherwise for the attraction which orings stags and their mates from Galicia, on the Russian border: from the Liechtenstein preserves south of Vienna, and from the

## ke Frederick, all the way to the Schorfhaide A Relic of Aaron Burr.

arger estates in Hungary belonging to the Arch

TO THE EDITOR OF THE SUS -Sir. As the old ooden house at the northeast corner of Amater outside gallery is about to be razed, I your readers would like to know that in it Aaron

specific homes that night.

A. C. FURLONG. COLUMBIA UNIVERSITY. November 44.

MEAT FROM ARGENTINA.

WASRINGTON, Nov. 21.-If Mr. Jame

of manufactures, is rightly informed, as we assume that he is, the great beef industry of Argentina is passing, if it has not already passed, to American control. He says that the La Plata Cold Storage Company and the La Blanca Company are avowedly American enterprises and that the insurance company proof of loss and an the latter is now the largest single producer of cold storage meat for export shipmens. The extent of American in terest in this important Argentine Americans admittedly hold two of the even companies engaged in the business and are believed to have at least a working understanding with several others." The two American concerns produced last year third of Argentina's total output of cold storage beef and almost as large a propor

The condition of this industry has a very direct bearing on the American meat market. It has been assumed by many that a removal of the duty on beef, mutton and lamb would result in heavy imports of those products from Argentina with a result of materially reducing the price o consumers and of affecting perhaps disastrously the American cattle raising industry. Those who have studied the matter in its proper aspect and without prejudice have had no fear of the latter and practically no hope of the former of these results. Their views are fully supported by Mr. Whelpley, who has recently returned from Argentina, where he spent several months in careful investigation. He says in his report:

tion of the mutton and lamb

Argentina has been looked upon as a competito of the United States in the beef industry and has of cheaper meat for this country. outlook there lends no color to such supi their present operations in the Argentine field have nothing to do with the meat supply of the United States. The immediate object is to obtain supplies, which can no longer be obtained at home for their English market. Even now were it not for position of the American packers in the Argen-field there would be no likelihood that United States consumers could secure a meat supply from that quarter at less than prevailing rates, and

There is every reason for regarding Mr Whelpley's conclusions as sound. Europe ditions in this country have cut off a large percentage of its former supply and draft is made on Argentina, not because the commodity can be obtained more cheaply than in this country, but because a supply is available. The European requirement already takes practically all of Argentina's surplus. In 1904 the United States exported 593 409 head of cattle and 299,580,000 pounds of fresh beef. In 1909 exports were 207,542 head of cattle and own acts." (Hasting ime Argentina's exports of chilled and rozen beef increased from 97.744 tons to 210,657 tons. In 1904 Argentina exported the nature of the case, he could not comply 129,275 head of cattle valued at \$2,852,000. In 1909 the value of 132,450 head exported was \$4,088,000, from which it may be seen that increase in the price of cattle and meat

is not confined to the United States. There is much talk of revising the tariff ov items as need or advantage of revision may appear. The transfer of hides to the free list did not serve to reduce the cost of shoes or harness or belting, but it probably did act as a check on rising prices hie to a shortage of supply and not to an course in the case of meats and of cattle would in all probability lead to a similar Cattle and meat and wheat could e put on the free list without injury to American producers, and their transfer to that list would undoubtedly serve to check effectively any unreasonable price advance due to a temporary domestic shortage of supply. Mr. Whelpley's statements and figures make this fairly certain in at least the matter of fresh meat

# FOOTBALL IN 1383.

Its Murthers Described by the Anatomist of Abuses

nose, the it be on hard stones or ditch or dale no one here seems to care to imitate their or valley or hill or whatsoever place it be he careth not so he have him downe? And he that an serve the most in this fashion, he is counted he only fellow and who but he' hat by this means sometimes their necks are broken sometimes their backs, sometimes

legs, sometimes their armes. Sometimes their noses gush with blood, some times their eyes start out and sometimes hurt in one place and sometimes in another, but whosoever scapeth away the best goeth not scot freebut is either sore wounded craised or bruised so as he dieth of it or else scapeth very hardile; and no mervalle, for they have sleights to meet one be wist two, to dash him against the heart with their elbowes, to butt him under the short ribbes with their gripped fists and with their knees catch him on the legs and piche him on the necke with a hundred such murthering devices

And hereof groweth envy, rancour and malice and sometimes brawling murther, homicide and great effusion of blood as daily experience

ALAN H. STERNE New York, November 21

# Shakespeare Memorial Theatres

To the Epiton of The Sun-Sir: April 23, 1916, is the three hundredth anniversary of Will lam Shakespeare's death. Americans and those f us who live in America will want to no some permanent practical living record of the world's greatest playwright.

The coming generation loves its Shakespeare.
At least six of the great cities of this country can

erect a real Shakespeare theatre.

The ideal manner of its foundation would of rse be by public subscription, from rich and poor ailke, a real people's playhouse. For in-stance, a million people could give at least \$1 a year for five years, commencing April 23, 1911 England and Germany are at work in the cause

#### The Shifty Shift. TO THE EDITOR OF THE SUN- SIT

press alone can do it

NEW YORK, November 19.

ackie shift is interesting in the light of the rul that requires seven players "on the line." The ball is snapped as the tackles come up into it on the run. The play is illegally in motion before ne ball is off the ground. This "shift" possibly be within the letter of the rules, but is a direct violation of their spirit. The declared in-tention of the rule makers was to eliminate mass play In the Princeton and Harvard games Vale New York. November 21. T.

To THE EDITOR OF THE SUN-Sir: Why not draw a comparison between Dr. Isaac Watts and

G. L. C.

BROOKLYN, November 21.

Laura Jean Libbey!

RIGHTS OF A MORTGAGEE.

A question never before passed upor D. Whelpley, a special agent of the bureau directly in this State has been decided by the Appellate Division of the Supreme ourt, First Department, in Helibrun the German Alliance Insurance Company of New York, in which the court by a divided bench rules that the mortgagee of premises in which there has been a fire loss may sue to recover on a policy without first giving

opportunity to arbitrate the claim. Justice Laughlin, who writes a dissenting opinion, says: "It scarcely needs reflect ion to realize that if a mortgagee recover six years or more after the industry "is only partially known, but without notice of the fire, proof of the loss or opportunity for arbitration, the door opened wide not only to fraudulent claims upon which the companies will be victimized, for they will be helpless in many instances to defend themselves against dishonest claims, but also to collusion between owners and mortgagees

Justice Scott wrote the majority opinion, in which Justices McLaughlin and Clarke and Presiding Justice Ingraham concurred. The plaintiff's assignor held a mortgage on the insured building and there was attached to the policy a mortgage clause, which, as the insurance company admitted, provided that the loss or damage should be paid to the mortgagee as his interest might appear, and should not be invalidated by any act neglect of the mortgagor or owner of the The complaint in the property described. ase merely alleged the fire and the amount of loss and the proportion due from the whether the insured, the mortgagee or his assignee had served notice and proofs of loss, and the defendant demurred on that ground. The lower court sustained the demurrer, and the Appellate Division re-

erses the order Justice Scott said that the decision in the lower court rested upon the proposition that the plaintiff's assignor, although only a mortgagee, must as a condition precedent to recovery allege that he or the mortgagor had within the time prescribed by the policy given to the defendant notice of the loss and furnished proofs of loss. Whether there was any such obligation is the crucial question involved in the case. There are decisions both ways in other States. The court says that the provisions of the mort gage clause of the policy declaring that the interest of the mortgages should not be invalidated by any act or neglect of the mortgagor or owner creates a new and distinct contract which places the mortgagee upon another and different footing from that wants meat in increasing quantities. Con- of a mere assignee or appointed to receive the loss, and renders him the holder of a distinct interest separate from the owner Justice Scott says

The interest of the owner and the mortgagee regarded as distinct subjects of insura I think that the inten As was said by Rapallo. J of the clause was to make the policy operate as ar insurance of the mortgagors and the mortgagees separately, and to give the mortgagees the same benefit as if they had taken out a separate policy. making the mortgagees responsible (Hastings vs. Westchester Fire Ins. V., 141.) Many of these obligations thus imposed upon the owners relate to matters concerning which the mortgagee is not presumed to have knowledge, or with which, in the loss, of which the mortgagee may be ignorant for a long time, and the furnishing of proofs of loss, which the mortgages may be quite unable to do. We are therefore of the opinion that the mortgagee was under no obligation to furnish proof of loss or to give any other or earlier notice oss than that involved in the commencement of this action.

In his dissenting opinion Justice Laughlin thinks that the provisions with respect to notice of fire, proof of loss and arbitration which apply to the insured become part of the contract with the mortgagee and may increased cost of production. A similar fairly be said to be applicable to any claim made against the company under the policy. Justice Laughlin believes that the decision

Justice Laughlin believes that the decision of the Court of Appeals in Eddy vs. London Assurance Corporation (143 N. Y., 31) sustains these views. In this case Justice Peckham wrote

By taking the insurance in the manner the mortgagee herein did, instead of taking out a separate policy, all the provisions of the policy, which from their nature would properly apply to the case of an insurance of the mortgagee's interest, would be regarded as forming part of the contract with him, while those provisions which antagonize or impair the force of the particular and special provisions contained in the clause providing for the insurance of the mortgagee must be regarded as ineffective and inapplicable to the case of the mortgagee.

TRADE WITH LATIN AMERICA.

example. Yet without them things must continue as before, despite the Hon. John Barrett's academic prophecies, until some day somebody awakens suddenly to what will be claimed as the solution of a great economic problem and puts forth as a new American idea what Europeans have known from time immensial.

fertile subject S NEW YORK, November 21

#### Enterprising Youthe TO THE EDITOR OF THE SUN-SIE: While the

policemen are so jealously guarding taxicabs, could they spare a little attention to the small boys of the city? The East Side boys have become so bold, now that their enemies' attention is directed elsewhere, that it is hardly spectable boy to go out alone. My boys, having had their caps snatched off their heads and their had their caps snatched off their heads and their pocket money stolen by force by gangs of these rowdles, are obliged to go hatless and carry their presence of plants. Accordingly it has recently presence of plants. money in their shoes:

Of course the hatless condition is a prevention able deposits may be fully accounted for for baldness, hardly needed in their cases, and the new purse is a sure cure for spending money on soda water, but a triffe awkward when it comes sand in the way that sand dune plants do at me

Possibly Commissioner Cropsey might spare a few policemen to restore order among these gangs of boys who intimidate children going to ! school. Andre's hiding place for secret papers was scarcely a success, and in this hurrying age does not work out well as a purse. M. S. JEWETT. NEW YORK, November 21.

#### A Seasonable Tale From the Denter Republicat

November's shades were failing fast When in a house a box was cast With these words wift, in letters vast "Not to be opened illi Christmas." The houses or sighed: "Ah, me, ah, me, The contents I should like to see: Not to be opened till Christmas

The householder looked, day by day. And said: "I fain my hands would lay you the sign that turns me gray: Not to be opened till Christmas.

But when the parents turned their backs. The children stayed not their attacks. But split that legend with an ax: "Not to be opened till Christmas." moral, then, would seem to be: it pique folks' curiosity writing, most bromidically: "Not to be opened till Christmas

To the Editor of The Sun-Sir. We are having a little discussion over here in The trouble arose because of

Jersey concerning the United States Son the fact that two "representative" Jerse men ran on the Democratic primary ticke looking for indersement from Democrat voters. These "representative" men were James E. Martine and Frank M. McDermit Martine received some 48,000 votes because as between "the devii and the deep bus sea." the Democratic voters selected the lesser of the two evils.

SENATOR FROM NEW JERSEY.

mes Smith, Jr., Has a National Rep.

utation and Should Be Chosen.

The matter was treated more or less as Joke at the primaries, inasmuch as the State elected a Democratic Legislature absolutely unpledged as United States Senator. Despite the facthat the Assembly candidates refused commit themselves the people elected them and left them free as to their choice

Mr. Martine says: "The people have a ready decided upon me as He forgets that at the primaries only those could vote in the Democratic box who voted for a majority of the Democratic Assembly candidates at the last election. The people forsooth!

But then the underlying cause of the a discussion is the man who will be our nec Senator, the Hon. James Smith, Jr. logical choice.

Those who think they know James Smith, Jr., let loose lots of misinformation about him: those who have close relations The complaint was silent as to his kindly treatment of young men his starting out in life; lending them a helping hand, and a more substantial one than usually extended Hundreds can test to his open generosity.

We need masterful men in the Senate, and James Smith, Jr., is acknowledged such a man Manufacturers, professional and business men of the State in general want him. New Jersey is not an agricultural State and doesn't need a "Farmer Orator" or any other kind of an orator, but a man with wide experience and ability in large

business affairs.

Mr. Smith is not a merely local figure but enjoys a national reputation and has inspired great respect among the men who do things in the State.

As the Senator from New Jersey take his place among the big men of the States Senate and represent his State in the manner which the citizens of New Jersey expect their represent represent it. HERBERT J. ROWE

NEWARK, November 21.

### IN MEXICO. Anti-American Feeling Confined to the

"Lower Classes." To the Editor of The Sun-Sir. As representative of Mexican newspapers.

and having received complete information the recent disturbances in Mexico about city, which differ in certain respects from the versions printed by most of the papers here. I consider it my duty to make the ving statements, which I beg you to print in your valuable paper, in order that your readers may be informed of some facts that are interesting to note.

The news of Rodriguez's lynching in Texas reached Mexico on November 4, and it created great sensation. The people there believed that some action would folow immediately on the part of the Mexican Government, as it is customary in similar cases: but as some days clapsed and no information was printed in connection with the Government's attitude in the case, the students of the professional sche ided to make a demonstration, hoping that it would lead the Government to take an immediate action.

The demonstration took place on November 8, and while inflammatory speeches were made, no disorders were reported. The police tried to disperse the demonstration on the ground that no permission for it had

TRADE WITH LATIN AMERICA. shows beyond any doubt that the police acted quickly and firmly.

It is said that the stoning of the buildings

To the Editor of The Sun—Sir—Some of those controversialists who are opposed to the game of football will be interested to know the views of Mr. Philip Stubbs. Mr. Stubbs was an Englishman who wrote a book entitled "Anatomic of Abuses Current. In Ye Realm of England." The book was published in 1533, and Mr. Stubbs devoted one whole chapter to the game of football what he said over 100 years ago is practically almost word for word what the opponents of the game are saying to-day. Listen to Mr. Stubbs as he tells of football in the sixteenth century.

Now who is so grosiv blinde that seeth not that these aforesaid exercises not onely withdrawe us from goddiness and virtue but also harle and allier us to wickedness and sins. For as concerning football playing. I protest unto you that it may be rather called a friendly kinde of fyghte than a play or recreation, bloodle and murthering practice than a felowile sport or pastime.

Only such foreign bankers are looked to the game of those with a distribution of the provided whose prosperity, and consequently that the iman play or recreation, bloodle and murthering practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile sport or pastime, the ring practice than a felowile protess of the foreign bankers of each of the ring practice than a felowile protess of the foreign bankers of each of the ring practice than a felowile protess of the foreign bankers of each of the ring practice than a felowile protess of the foreign bankers of each of the ring of the multing and the the toning at the dissoi

# Norfolk Witches.

From the London Chronicle.

There have been "witches" in Norfolk until ulte recent times. A man who died in 1843 was one of three brothers who had ducked an old American idea what Europeans have known from time immemorial, or at least since the advent of the great Rothschild family, regarding the mighty importance of foreign banking to the development of the foreign commerce of nations.

I am indeed pleased to see an intelligent man like Mr. Davies indirectly confirming the logic of the statements contained in my article on "Banking and Subsidies," published in last June's Bankers "Magazine, and of other articles of mine previously though uselessly published in New York on this fertile subject.

New York, November 21.

woman in a pond because she had a black cat and wore a black silk dress on Sundays. After a visit to a public house they roused her out of heif dozen other people who had gathered to see the sport, threw her into a hole, where she would infallibly have been drowned but that some who were not so mad as the rest cried out that she was sinking to the bottom and must be saved. Dr. Jessopp also vouched for the fact that a man who was living and master of an elementary school in 182 had believed himself in the 60s overlooked by a witch, whose blood must be shed to our night and "actually in the presence of haif a dozen other people who had gathered to see the sport, threw her into a hole, where she would infall the previous man in a pond because she had a black cat and wore a black silk dress on Sundays. After a visit to a public house they roused her out of heif dozen other people who had gathered to see the sport, threw her into a hole, where she would infall the previous man and a steep and the previous contained in my and the previous man and a steep and a steep and a steep and the previous man and a steep and a st woman in a pond because she had a black cat and wore a black slik dress on Sundays. After a visit to a public house they roused her out of bed by a witch, whose blood must be shed to cure his So he fell upon the woman and scratched her arms

#### Locas From the London Globe.

The formation of "loess," a fine yellowish said? clay found in various parts of the world, and teaching a thickness of over a thousand feet in China. has given rise to much discussion and control etbeen suggested mat the genesis of these remain present day on our seashores.

The Gyroscope Applied to a Ship TO THE EDITOR OF THE SUN-SIT: In THE ST teadles a Ship" Mr. Elmer G. Sperry is quoted

as follows: This style of compass is not affected in the or any magnetic disturbance. It is also from those disturbances technically known as deviating

or variation I doubt if Mr. Sperry will indorse the world "variation." A mechanism that will not respond olar attraction cannot be a safe marine Northpour. November 21. C.

The Unconquerable Schistotrichologic

TO THE EDITOR OF THE SUN-SIF ith a myth would probably bring no more han Don Quixote's celebrated tilt with the mills, so I will not attempt to pluck a feath mental pinions of your correspohose choice of name recalls the unfortuna ing of the flight of Darius Green

I stand firmly "on" my position, supported its is by such well known hairsplitters in the set of words as Webster's, Worcester's and the tury dictionaries. BARTON D. EVANS

HARRISBURG, Ps., November 19.